

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

SUITS – Land Acquisition –Minor Irrigation– Lands acquired at Moolasagaram Village, Nandyal Mandal in Kurnool District for formation of W.B.M.Road from KM.0/0 to 1.74, Nandyal to Pulimamidi Road - O.P.No's. 77/91 and 83/91 on the file of Sr.Civil Judge Court, Nandyal disposed off – Market value enhanced – Appeals dismissed - Depositing decretal amount in the Lower Court – Budget sanctioned- Orders – Issued.

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IRRIGATION & CAD(PW.LA.II)DEPARTMENT

G.O.Rt.No.62

Date:28 -01-2009.  
Read the following:-

- 1) From the Dist.Collector, Kurnool.Rc.G1/2386/2003,  
Dated:3.5.2007
- 2)From the Spl.CS to Govt.& CCLA, A.P. Hyderabad ,  
CCLA's Lr.No.G4/912/2007, dated:19-03-2008.

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**O R D E R:**

1. The District Collector, Kurnool in his letter first read above has reported that the then LAO-cum-RDO, Nandyal had acquired lands in Sy.No.809/2 measuring an extent of Acres 7.11 situated at Moolasagaram Village, Nandyal mandal in Kurnool for formation of W.B.M. road from Nandyal to Pulimamidi road at K.M.0/0 to 1.74 K.M. through Award No.5/90 dated 13-8-90 by paying the Land value @Rs.7,500/- per acre on making reference U/s 18 of L.a.Act, the lower court has enhanced the land value from Rs.7,500/- per acre to Rs.1,20,000 per acre vide judgment & decree dated 15-7-2000 in OP No's 77 and 83 of 1991. Aggrieved by the lower court orders, the LAO has filed appeals before the Hon'ble High Court of A.P., Hyderabad. The Hon'ble High Court of A.P., Hyderabad in its judgment dated 16-11-2004 in AS No.440 and 441 of 2001 while dismissing the appeals has confirmed the lower court orders on this judgment, the G.P. for appeals , H.C. of A.P. has opined that the judgment under opinion are not fit cases to assail before the Hon'ble Supreme Court of India and requested to settle the decretal amount at the earliest so as to avoid burden on the State exchequer on account of interest.. Based on this opinion, the Dist. Collector, Kurnool has submitted the budget proposal for an amount of Rs.89,882/- towards payment of decretal charges in respect of OP No's 77 and 83 of 1991 pertaining to Moolasagaram village, Nandyal Mandal in Kurnool dist. Through CCLA, Hyderabad with a request to sanction the same as the (2) E.P's are still pending in the lower court and the court is likely to issue attachment orders.

2 The Spl.C.S. to Govt. & CCLA, Hyderabad in his letter second read above while submitting revised calculation sheet from amount of Rs.93,442/- has reposted that the matter was referred to the Commissioner (LA) for opinion. The Commissioner (LA) opined that the appeal was dismissed by the High Court on the ground that, the amount involved is of trivial in nature. Hence no grounds for further appeal.

3. In the circumstances reported by the District Collector, Kurnool in the references 1<sup>st</sup> read above and in view of the report of Special Chief Secretary to Government and Chief Commissioner of Land Administration, Hyderabad thereon in the references 2<sup>nd</sup> read above, Government hereby accord sanction for an amount of Rs.93,442/- (Rupees ninety three thousand four hundred and forty two only) towards payment of balance decretal charges to be deposited in the Lower Court to the credit of OP Nos.77/91 and 83/91 to Moolasagaram Village, Nandyal Mandal in Kurnool District in connection with the lands acquired in the above said village for formation of W.B.M.Road from KM.0/0 to 1.74, Nandyal to Pulimamidi Road

P.T.O.

4. The District Collector, Kurnool is, directed to deposit the above sanctioned decretal amount in the respective court after thorough verification of calculations made by the Land Acquisition Officer once again at his level and also verify the decrees and decretal charges if any, already paid. He is also directed to follow the directions of Hon'ble High Court dated 30-4-2007 in WP No.2181/2005 in depositing the above sanctioned decretal amount in the respective court.

5. The amount sanctioned in para (3) above shall be debited to the detailed Head of Account "4702- COL on Minor Irrigation; - M.H.-101 – surface water, G.H.(11) – Normal State Plan; SH(12) C&R, MI sources, 530 – Major Works, 532 – Lands (charged)",

6. This order issues with the concurrence of Finance(Exp.PW.I) Department vide their U.O.No.15201/1517//Exp.PW.I/2008, dated 31-12-2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.TUCKER,  
PRINCIPAL SECRETARY TO GOVERNMENT.

To

The District Collector, Kurnool,  
The Special Chief Secretary to Govt. & Chief Commissioner of Land Administration, Hyderabad  
The ENC , Irrigation, Errumanzil, Hyderabad  
The Chief Engineer, Minor Irrigation ,Erramanzil, Hyderabad. .  
The Revenue Divisional Officer, Nandyal.  
The Accountant General, AP, Hyderabad  
The Director of Works Accounts, Hyderabad.  
The District Treasury officer, Kurnool  
The Joint Director, Works & Accounts TGP Cuddapah,  
The Pay & Accounts Officer, Kurnool.

Copy to:

The P.S. to Spl.Secy. to C.M.  
The PS to Minister ( Minor Irrigation)  
The P.S. to Prl.Secretary(Irrigation& CAD),  
The Law Department  
The Finance(Exp.PW.I)Department,  
SF/SCs.

//FORWARDED BY ORDER//

SECTION OFFICER.